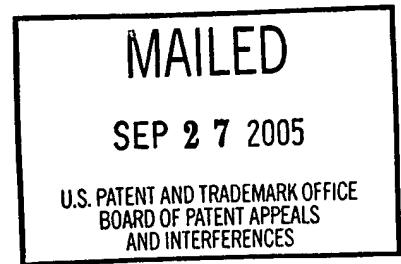


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte IGOR GONDA,
REID M. RUBSAMEN and
STEPHEN J. FARR



Application 09/848,774

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on June 21, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On August 12, 2004, the examiner filed an examiner's answer. There is no proper indication that an appeal conference was held. The Manual of Patent Examining Procedures (MPEP) § 1208 states:

Application 09/680,775

The participants of the appeal conference should include (1) the examiner charged with preparation of the examiner's answer, (2) a supervisory patent examiner (SPE), and (3) **another examiner, known as a conferee**, having sufficient experience to be of assistance in the consideration of the merits of the issues on appeal.

...

On the examiner's answer, **below the primary examiner's signature**, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. **These two appeal conference participants must place their initials next to their names. This will make the record clear than an appeal conference has been held.**

The second conferee's signature or initials are not present in the answer.

Accordingly, it is

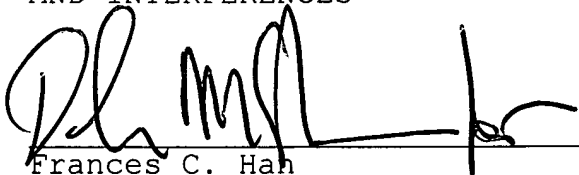
ORDERED that this application be returned to the Technology Center for the proper indication that an appeal

Application 09/680,775

conference was held, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



Frances C. Han
Program and Resource Administrator
571-272-9797

Application 09/680,775

cc:

NOVO Nordisk, Inc.
Patent Department
100 College Road West
Princeton, NJ 08540

FCH/cam